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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/702,224	10/31/2000	Karl Wilmer Scholz	TN222/USYS-0083	1300

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EXAMINER

PHAN, THAI Q

ART UNIT	PAPER NUMBER
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2123

DATE MAILED: 10/03/2003

9

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/702,224

Applicant(s)

SCHOLZ ET AL.

Examiner

Thai Phan

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

This Office Action is in response to applicants' amendment filed on Aug. 18, 2003. Claims 1-11 are pending.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Comerford et al., US patent no. 6,513,009 B1.

As per claim 1, Comerford discloses dialog manager for user interface with feature limitations substantially similar to the claimed invention (Background and Summary of the Invention). According to Comerford, the dialog management interface apparatus and method includes steps:

Inputting instructions specifying the flow of a conversation to a design tool, producing a task model or data file as claimed containing information concerning prompts, responses, branches, and conversation flow (Figs. 1, col. 8, lines 38-64, col. 9, lines 25-41, for example),

Initializing, launching or loading an interpreter within an application with concept objects to perform dialog task model (col. 6, lines 17-26, col. 7, lines 30-47, col. 9, lines

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25-41, cols. 14-16, for example). Comerford does not expressly disclose instantiating the interpreter as claimed.

Practitioner in the art at the time of the invention was made would have found Comerford initializing the interpreter (Figs. 1, col. 7, line 8 to col. 9, line 41) in dialog manager for the interpreter to handle interpretation of task models or files and to provide human computer dialogue enabled interaction as defined by the task model would imply the claimed step of instantiating the interpreter as claimed in order to start dialog user interactive.

As per claim 2, Comerford discloses speech recognition engine as claimed (Background of the Invention).

As per claim 3, Comerford discloses data files are automatically stored (cols. 5-13, for example).

As per claim 4, Comerford discloses graphic user interface as claimed (Figs. 1, 5, 8, and Summary of the Invention).

As per claim 5, claim 5 is directed to system for developing dialogue enabled software on a computer for human and computer interact with feature limitations as in method claim 1 above. Comerford discloses dialog manager for user interface with feature limitations substantially similar to the claimed invention (Background and Summary of the Invention). According to Comerford, the dialog management interface apparatus and method includes steps:

Inputting instructions specifying the flow of a conversation to a design tool, producing a task model or data file as claimed containing information concerning

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prompts, responses, branches, and conversation flow (Figs. 1, col. 8, lines 38-64, col. 9, lines 25-41, for example),

Initializing, launching or loading an interpreter within an application with concept objects to perform dialog task model (col. 6, lines 17-26, col. 7, lines 30-47, col. 9, lines 25-41, cols. 14-16, for example). Comerford does not expressly disclose instantiating the interpreter as claimed.

Practitioner in the art at the time of the invention was made would have found Comerford initializing the interpreter (Figs. 1, col. 7, line 8 to col. 9, line 41) in dialog manager for the interpreter to handle interpretation of task models or files and to provide human computer dialogue enabled interaction as defined by the task model would imply the claimed step of instantiating the interpreter as claimed in order to start dialog user interactive.

As per claim 6, Comerford discloses task model with data files stored in a library (cols. 14-16) for user interaction.

As per claim 7, Comerford discloses user interaction interface as claimed (Figs. 1, 5, 8, 9, cols. 8, 9, 14-15).

As per claim 8, claim 8 is computer readable medium for dialogue interpretation development, and Comerford discloses dialog manager for user interface with feature limitations substantially similar to the claimed invention (Background and Summary of the Invention). According to Comerford, the dialog management interface apparatus and method includes steps:

Inputting instructions specifying the flow of a conversation to a design tool, producing a task model or data file as claimed containing information concerning prompts, responses, branches, and conversation flow (Figs. 1, col. 8, lines 38-64, col. 9, lines 25-41, for example),

Initializing, launching or loading an interpreter within an application with concept objects to perform dialog task model (col. 6, lines 17-26, col. 7, lines 30-47, col. 9, lines 25-41, cols. 14-16, for example). Comerford does not expressly disclose instantiating the interpreter as claimed.

Practitioner in the art at the time of the invention was made would have found Comerford initializing the interpreter (Figs. 1, col. 7, line 8 to col. 9, line 41) in dialog manager for the interpreter to handle interpretation of task models or files and to provide human computer dialogue enabled interaction as defined by the task model would imply the claimed step of instantiating the interpreter as claimed in order to start dialog user interactive.

As per claim 9, Comerford discloses software interface as claimed (cols. 14-16).

As per claim 10, Comerford discloses dialog manager for user interface with feature limitations substantially similar to the claimed invention (Background and Summary of the Invention). According to Comerford, the dialog management interface apparatus and method includes steps:

Inputting instructions specifying the flow of a conversation to a design tool, producing a task model or data file as claimed containing information concerning

prompts, responses, branches, and conversation flow (Figs. 1, col. 8, lines 38-64, col. 9, lines 25-41, for example),

Initializing, launching or loading an interpreter within an application with concept objects to perform dialog task model (col. 6, lines 17-26, col. 7, lines 30-47, col. 9, lines 25-41, cols. 14-16, for example). Comerford does not expressly disclose instantiating the interpreter as claimed.

Practitioner in the art at the time of the invention was made would have found Comerford initializing the interpreter (Figs. 1, col. 7, line 8 to col. 9, line 41) in dialog manager for the interpreter to handle interpretation of task models or files and to provide human computer dialogue enabled interaction as defined by the task model would imply the claimed step of instantiating the interpreter as claimed in order to start dialog user interactive.

As per claim 11, Comerford discloses the claimed limitations for dialog flow interpretation as claimed.

Response to Arguments

Applicant's arguments with respect to claims 1-11 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

1. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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1. US patent no. 5,983,190, issued to Trower et al., on Nov. 1999
2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thai Phan whose telephone number is 703-305-3812. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kevin Teska can be reached on 703-305-9704. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Thai Phan
Sept. 29, 2003

Thai Phan
Patent Examiner
Thai Phan
AU 2123